3/B 4a 5/6/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s):

Stephen P. DeOrnellas et al.

SC/Serial No.: 10/045,318

Confirm. No.: 3120

Filed:

November 9, 2001

Title: METHOD FOR USING A HARD MASK FOR

USING A HARD MASK FOR CRITICAL DIMENSION GROWTH CONTAINMENT

PATENT APPLICATION

Art Unit:

1765

Examiner:

L. Umez-Eronini

Customer No. 23910

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, the United States Patent and Trademark Office, Examining Group

Facsimile No. (703) 872-9443, on May 3, 2002.

Jason D. Lohr, Reg. (No. 48,1

_(Attorney Signature)

Signature Date: May 3, 2002

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Preliminary to the examination of the above-referenced continuation case, please amend the claims as follows:

In the Claims:

Please amend the following claims as indicated below. All pending claims are included for completeness. Marked up copies of the amended claims illustrating the changes are shown in the appendix to this Preliminary Amendment.